

September 15, 2021

ARDR

(14)

WPA 3212 of 2020

Sontosh Kumar Mahato

Vs.

The State of West Bengal & Ors.

Mr. Supradip Roy, Sr. Adv.

Mr. Siddhartha Roy,

...for the petitioner.

Mr. Susanta Pal,

Ms. Ananya Neogi,

...for the State.

The petitioner's grievance is that the land, belonging to his father was acquired by the respondent no.2 by way of a publication in the Calcutta Gazette on 14/06/1974. In view of the existing notifications as operational on the said date, a process was started with regard to the employment assistance of the land losers. In the meantime, petitioner's father expired and the petitioner stepped into the shoes of his father. The petitioner applied for employment before the authority, and, upon verification of case records, it was held by the Special Land Acquisition Officer, Purulia, vide letter dated 14/6/1996 that the main source of agricultural income of the petitioner was affected due to acquisition of land in question. The petitioner was asked to appear before the Special Land Acquisition Officer, Purulia, with all relevant documents for the purpose of said employment on 20th July, 2015.

The petitioner complains that despite appearance of the petitioner before the concerned authority on the relevant date, neither any notice of employment has been received by him, nor has any communication been sent to him with regard to the same by the concerned authority.

Learned counsel for the petitioner submits that similarly placed person has been granted such employment by the authority in compliance with an order passed by this Court.

Learned counsel for the State refers to the notification dated 21st August, 2002 and submits that the provision for employment in favour of land losers is applicable only in respect of cases where the land in question has been acquired by the State Government on or after 17th October, 1977.

Having considered the submissions made on behalf of the parties and material on record, it, *prima-facie*, appears that a process with regard to the employment of the petitioner had commenced. But the petitioner is in the dark regarding the fate of such process.

In view of the same, the petitioner is at liberty to file an application accompanied by a copy of the present writ petition along with all relevant documents before the respondent no.2 within two weeks from date. The respondent no.2 shall take all necessary

steps for disposal of the said application within two months from the date of receipt of such application after affording opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the aforesaid directions, WPA 3212 of 2020 is disposed of. However, there shall be no order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to be not admitted.

Urgent certified website copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Suvra Ghosh, J.)